

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHARLES A. PEARSON, #182691,)
Plaintiff,)
v.)
K. L. BYRD, et al.,)
Defendants.)
CASE NO. 2:06-CV-828-CSC

ORDER

On November 29, 2006, the plaintiff filed a motion for joinder of persons in which he seeks to add Benjamin Harrison, Don K. Corkran and Gary Reardon as parties to this cause of action (Court Doc. No. 18). The court therefore construes this document as a motion to amend. Accordingly, it is

ORDERED that:

1. The motion to amend be and is hereby GRANTED.
2. Defendants Harrison, Corkran and Reardon undertake a review of the subject matter of the complaint, as amended, (a) to ascertain the facts and circumstances; (b) to consider whether any action should be taken to resolve the subject matter of the complaint; and (c) to determine whether other similar complaints should be considered together.
3. Defendants Harrison, Corkran and Reardon shall file a written report containing the sworn statements of all persons having knowledge of the subject matter of the complaint, as amended. This report shall be filed with the court and a copy served upon

the plaintiff within forty (40) days of the date of this order. Authorization is hereby granted to interview all witnesses, including the plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where the plaintiff's claims or the defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines.

4. An answer to the complaint, as amended, shall be filed by defendants Harrison, Corkran and Reardon within forty (40) days from the date of this order.

5. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.

The plaintiff is CAUTIONED that this court will not continue to grant him leave to amend without a showing of exceptional circumstances. Additionally, any claims for relief which arise subsequent to entry of this order should be presented to the court in a separate 42 U.S.C. § 1983 action.

The CLERK is hereby DIRECTED to furnish a copy of this order to the plaintiff and counsel of record for defendants Byrd and Gruhn. The Clerk shall also serve a copy of this order and the amendments to the complaint to Benjamin Harrison, Don K. Corkran and

Gary Reardon.

Done this 30th day of November, 2006.

/s/ Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE